

MINUTES

**McDowell Sonoran Preserve Commission
1st Floor Community Development Conference Room
One Civic Center, 7447 E. Indian School Road
Scottsdale, Arizona 85251
Thursday, December 2, 2004**

CALL TO ORDER

Vice-Chair Kovach called the meeting to order at 5:00 p.m., noting the presence of a quorum.

ATTENDANCE

Present: Christine Kovach, Vice-Chair
Carla
Denny Carr
Laura Fisher
Virginia Korte
Erik Filsinger
Howard Myers
Arnold Roy
Don Ruff (left the meeting at 6:20 pm)
Solange Whitehead

Absent: Art DeCabooter, Chairman

Staff: Bob Cafarella
Claire Miller
Don Meserve
Scott Hamilton

Visitors: Chuck Brotherton, Maricopa County; Dan Gruber, Preserve Steward; Tony Nelssen; Humberto Badillo, MCC student; Miguel Portillo, MCC student

CITYWIDE TRAIL SYSTEM MASTER PLAN

Mr. Cafarella stated that the citywide program has been transferred from Community Services to Preservation and that Mr. Hamilton has been of great value in that transition and in the planning process.

Mr. Hamilton advised that City Council had approved the Trail System Master Plan and went on to review the specifics of that Plan. He noted that one of the major functions was to guide private development in order to promote continuity in the trail system. Mr. Hamilton explained that \$2,500,000 in bond funds were available for development of the Trail System, and distributed a handout highlighting the features of the trail network. He described the proposed improvement projects and responded to questions from the Commission.

Commissioner Myers expressed concern as to the amount of buffer space between the trail and roadways and requested that Mr. Hamilton work towards obtaining the maximum distance for

Right-of-Way dedications to improve the trail setting. Discussion ensued relative to signalized crossings and improved coordination between the city's Transportation Department and Preservation.

Mr. Nelssen commended Mr. Hamilton and Ms. Miller on the success of the Trails System to date. He requested clarification of the term "horse friendly", noting the vast differences in expertise among riders using the multi-use trail system. Mr. Nelssen went on the comment on the loss of trail connectivity due to a lack of communication and the reticence of the city's legal department to fight for the trails. He urged the support of the McDowell Sonoran Preserve Commission and the Parks and Recreation Commission in impressing the importance of these issues on the City Manager's office.

Commissioner Korte suggested that a grading system indicating the level of difficulty for equestrian users might be helpful.

ROAD TO THOMPSON PEAK SUMMIT

Chuck Brotherton, Wireless Manger for Maricopa County, addressed the Commission concerning the antennas and other facilities on the top pf Thompson Peak, and the access road to the peak. He outlined the portions of Thompson Peak owned by Maricopa County, and explained that the property is used for public safety communications purposes. He noted that millions of dollars of sophisticated equipment is present and that the site is fenced and the road is gated to protect that equipment. Mr. Brotherton's comments were primarily focused on the security and safety issues related to the facilities and he was not present to answer legal questions from the Commission.

Commissioner Filsinger commented on the intent of the Commission to support trail access throughout the Preserve and inquired as to Mr. Brotherton's thoughts about use of a portion of the existing access road by trail users, rather than scarring the land with an additional trail.

Mr. Brotherton replied that Maricopa County did not wish to make the summit area a destination for hikers, and that his duty was to protect public safety equipment. Discussion ensued as to liability issues and a possible point up to which hikers could safely access the road, referred to as a saddle area below the steep ascent to the summit.

Commissioner Whitehead spoke in favor of a joint solution whereby liability to the County would be minimized, and hikers could safely utilize a portion of the road.

Commissioner Carla requested the use of more appropriate colors when painting the structures in the area under discussion, and asked if the Commission could have some input in that decision.

PUBLIC SAFETY RECOMMENDATIONS OF PLANNING COMMITTEE

Commissioner Carla reported that the Planning Committee wanted to make the Commission aware of the status of their work and was not requesting specific action at this time. She distributed several handouts, and referred to the matrix of comparisons with other park ranger programs. Carla asked for direction from the Commission for the Preserve staff to talk to the police department about this issue. She commented on several drawbacks to hiring police

officers to perform this service. It was the opinion of the Planning Committee that it would be preferable to employ rangers. She explained that rangers would have law enforcement jurisdiction limited to the Preserve boundaries and Preserve ordinances, but would in addition be able to give informational talks, and help with trail maintenance. Carla stated that, subject to approval by the Commission, Preservation staff would talk to the police department, set dates and return to the Commission with a more refined recommendation.

Commissioner Meyer commented that the majority of the problems occurring within the Preserve are at the access areas and asked if the police would be willing to patrol the access areas on a regular basis, noting the positive effect of a recognized police presence. There was discussion as to vehicular versus equestrian transportation for the rangers. Some support was expressed for using a mounted unit to patrol the Preserve and that trail users respond well to horses.

Mr. Cafarella suggested that the Commission “bless” the Planning Committee’s report at this time so as to enable staff to present it to City Council in the next quarterly report.

Discussion returned to the Thompson Peak Road issue (Mr. Brotherton had left the meeting). It was the consensus of the Commission that the Planning Committee should research the legal and related matters further, and return with a list of recommendations for action. Mr. Cafarella also noted that Fountain Hills should be informed of, and comfortable with, the issues since people would typically access the road and/or trail by parking in Fountain Hills.

STATUS OF STATE LAND REFORM

Commissioner Carla reported once again that the reform is not dead. She noted that State Land Commissioner Winkelman expressed optimism and was holding interviews with the stakeholder groups. She stated that the next version would most likely be a slimmed down one with urban versus ex-urban elements. Commissioner Meyer asked if land trades would part of the next draft and Commissioner Carla replied that she did not expect land trades to be included.

PROMOTION COMMITTEE REPORT

Vice-Chair Kovach reported that the Promotion Committee has been meeting and is working on objectives. She added that the web site has been updated and groups are being identified for focusing messages to on the Preserve.

DIRECTOR’S REPORT.

Mr. Cafarella advised that a date has not been set for the official opening of Sunrise Trail and Trailheads. To ensure continuity between design and construction, he noted that the designer for the Lost Dog Wash Access Area improvement project would be kept on board under contract to manage the construction phase for the access area. Mr. Cafarella distributed samples of the trail signs, which will be placed throughout the Preserve. Signs will soon be fabricated and installed at locations identified for trail signs on the currently open trails. He stated that the construction contract for Windgate Trail goes to City Council on Monday, December 6th.

PRESERVE MANAGER'S REPORT

Ms. Miller stated that a new steward class had just graduated before Thanksgiving, providing even more volunteer resources for the Preserve. She noted that McDowell Sonoran Month in October had gone quite well, adding that the big project was hauling the horse-hitching rail two and a half miles up Sunrise Trail. She also noted that winter holiday projects were being well attended due to the great weather.

FUTURE EXECUTIVE SESSION

COMMISSIONER FILSINGER MOVED AND COMMISSIONER MEYER SECONDED A MOTION TO HOLD AN EXECUTIVE SESSION FOR JANUARY 6 2004, FOR THE PURPOSE OF DISCUSSION WITH REPRESENTATIVES OF THE PUBLIC BODY AND CONSULTATION WITH CITY ATTORNEY FOR LEGAL ADVICE TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATING FOR PURCHASE OR LEASE OF REAL PROPERTY FOR INCLUSION IN THE MCDOWELL SONORAN PRESERVE. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF NINE (9) TO ZERO (0).

COMMISSIONER COMMENTS AND PUBLIC COMMENTS

Commissioner Carr noted that there were conflicts for both the scheduled April and May meeting dates, and asked for staff review of possible alternatives.

AGENDA ITEMS FOR FUTURE MEETINGS

Commissioner Myers commented that he had requested this item previously and again asked for a discussion of design guidelines for structures in the Preserve.

ADJOURNMENT

Being duly moved and seconded, the regular meeting was adjourned at 6:50 p.m., with Executive Session to follow.

Respectfully submitted,

“For the Record” Reporters